



Professional Engineering Procurement Services (PEPS) Division Solicitation Number: 83-5RFP5039

September 30, 2014 - This Solicitation has been changed.

The following attachment has been updated:

Attachment C – Services To Be Provided by the Engineer, “DRF ENGR SRVC Att-C” has been deleted and replaced in its entirety.

The following section has been revised as follows:

Non-Listed Work Categories (NLC/s):

NLC-7 Financial Analysis and Support (10%)

Description: This task includes economic analysis to demonstrate justification for specific projects, determine cost-benefit, identification and determination of the viability of alternative funding sources, assistance in grant application preparation, analysis of revenue sources, tax changes, tax initiatives, grant programs, loan programs, long term outcomes, demand projections, sensitivity analysis, public-private partnership participation, and other economic analysis.

Minimum Requirements: The team must employ one (1) **individual Certified Public Accountant**, as **task team** leader, with a minimum of 5 years of experience in the financial analysis of rail transportation projects, determination of benefit-costs for projects, grant application preparation, loan application preparation, identification and development of funding strategies, and public-private partnership initiatives.

September 29, 2014 - This Solicitation has been changed.

The following form has been updated:

Attachment 5, Project Team Composition “PTC” Form has been deleted and replaced in its entirety to add work category 18.2.1 Utility Investigations.

Original Posting Date: September 25, 2014

Posting Period: 14 Days

**REQUEST FOR QUALIFICATIONS (RFQ) TO CONTRACT
FOR
INDEFINITE DELIVERABLE CONTRACTS
STREAMLINED PROCESS (WITH INTERVIEW) – WITH DBE
GOAL**

The Texas Department of Transportation (TxDOT) intends to enter into two (2) indefinite deliverable contracts with prime providers pursuant to Texas Government Code, Chapter 2254, Subchapter A, and 43 Texas Administrative Code (TAC) §§9.30-9.42, to provide the following services.

The approximate amount for each contract is \$5,000,000, which is included for informational purposes only and may be adjusted by TxDOT.

Description of Services to be Provided:

The Rail Division is advertising for the following type of services. The work to be performed by the Engineer shall consist of providing professional services for rail infrastructure projects and the rail corridor development process. The services shall include, but are not limited to, the analysis of the existing rail transportation systems and connections (roadway, transit, marine, and aviation), rail corridor feasibility analysis, analysis of current and future rail transportation needs, preparation of cost estimates, rail freight fluidity demand modeling and preliminary engineering for the development of schematic designs, the preparation of environmental review documents in accordance with National Environmental Policy Act (NEPA) or state environmental requirements for various rail transportation projects and corridors, the development of rail program and project implementation documents, the development of Plans, Specifications, and Estimates (PS&E), rail construction project inspection and management services, the preparation of Surface Transportation Board documentation and filings, and the development and use of various public outreach activities.

For additional information, the following files are attached to this solicitation:

- TxDOT Contract Template
- Draft - Services to be Provided by the State
- Draft - Services to be Provided by the Engineer

Statement of Qualifications (SOQ) Deadline and Submittal Information:

SOQs must be received prior to **4:00 p.m. CT, on Thursday, October 9, 2014.**

Any SOQs received after the deadline date and time shown above will not be considered.

SOQs will be accepted by hand delivery to TxDOT, 118 E. Riverside Drive, Austin, Tx. 78704, Attention: DonAnne Williford, or by mail addressed to 118 E. Riverside Drive, Austin, Tx. 78704.

SOQs will not be accepted by fax or electronic mail.

To verify that the SOQ was received, the provider may contact the managing office by email, at DonAnne.Williford@txdot.gov, using the standard subject line "Verification of SOQ receipt, Solicitation # 83-5RFP5039.

Conflict of Interest:

TxDOT requires that its consultants and subconsultants be able to work solely in TxDOT's interest, without conflicting financial or personal incentives. TxDOT reserves the right to disqualify any prime provider or subprovider, or to place contractual limits on work or on personnel, if there is a conflict of interest that might affect or might be seen to affect the prime provider's or subproviders's duty to act solely in the interest of TxDOT.

A conflict of interest may involve conflicting incentives with regard to the firm as a whole, or any employee. The conflict may arise between the provider's work under a contract entered as a result of this solicitation and a relationship involving TxDOT, a construction contractor, another engineering firm, a materials testing firm, a third party affected by the project, a subprovider for any other consultant or contractor, or any other entity with an interest in a project on which work is performed under a contract entered as a result of this solicitation.

Evaluation Criteria:

SOQs submitted in response to this Solicitation will be evaluated according to the criteria provided in the *Attachment 2: Questions and Responses Template*.

Questions and Responses (Q&R):

Firms must respond to the questions stated in *Attachment 2: Q&R Template*. Responses must be submitted on the *Q&R Template*. No other format will be accepted.

Responses are limited to space allotted in the *Q&R Template*. Content outside the space allotted in the *Q&R Template* will not be evaluated. Additional pages will not be accepted, except for the attachments listed under the section **SOQ Submittal Format**.

Any false statement provided by a firm may void the submitted response. TxDOT may take any additional action provided by law regarding false statements submitted as part of the solicitation.

Work Categories and the % of Work Per Category:

Attachment 5 – Project Team Composition (Part 3 of 3) form indicates the categories that are engineering and design related services. Refer to the **Administrative Qualification Requirements** section to ensure that all requirements are met for applicable firms.

Standard Work Categories:

- 1.5.1 Feasibility Studies (10%)
- 5.2.1 Major Bridge Design (5%)
- 10.1.1 Hydrologic Studies (5%)
- 15.1.1 Survey (2%)
- 15.1.2 Parcel Plats (1%)
- 15.1.3 Legal Descriptions (1%)
- 15.1.4 Right of Way Maps (1%)
- 15.2.1 Design and Construction Survey (5%)
- 18.2.1 Utility Investigation (Subsurface Utility Engineering) (5%)

Non-Listed Work Categories (NLC/s):**NLC-1 Route and Design Studies (10%)**

Description: This task involves conducting route and design studies and providing corridor program support associated with multi-modal system design and development.

Minimum Requirements: The team must include one (1) professional engineer, as task leader, with a minimum of 5 years of experience in managing rail or multimodal freight and passenger studies and projects.

NLC-2 Environmental Studies and Public Involvement (10%)

Description: This task shall involve conducting environmental studies and providing corridor program and project specific support during the environmental process.

Minimum Requirements: The team must include one (1) individual, as task leader, with a minimum of 5 years of experience in managing environmental studies for rail or multimodal freight and passenger projects.

NLC-3 Traffic Management Systems (5%)

Description: This task shall include integration of alternative rail alignments into existing rail traffic management systems, the development of new rail traffic management systems, vehicular traffic control systems at rail-roadway crossings, and other traffic management support systems.

Minimum Requirements: The team must include one (1) professional engineer, as task leader, with a minimum of 5 years of experience in design or developing rail traffic management systems.

NLC-4 Rail Construction Management (10%)

Description: This task includes the management, inspection, and supervision services for freight or passenger rail construction or rehabilitation projects. This

includes plan & submittal reviews, daily on-site construction oversight, construction record keeping, and quality assurance/quality control (qa/qc).

Minimum Requirements: The team must include one (1) individual, as task leader, with a minimum of 5 years of experience in railroad construction management.

NLC-5 Rail Infrastructure Analysis (5%)

Description: This task includes the inventory, inspection, analysis, and development of detailed recommendations to address infrastructure deficiencies, operational improvements, congestion, and rail/vehicular conflicts.

Minimum Requirements: The team must include, one (1) individual, as task leader, with a minimum of 5 years of experience in the inspection, evaluation, and analysis of rail infrastructure conditions and developing recommendations for improvements to address deficiencies that were identified.

NLC-6 Rail Infrastructure Project Development (10%)

Description: This task includes the development of detailed engineering plans, specifications, and estimates for rail construction and rehabilitation projects to address infrastructure deficiencies, rail/vehicular conflicts, system congestion, and operational issues.

Minimum Requirements: The team must include one (1) professional engineer, as task leader, with a minimum of 3 years of experience in developing rail construction or rehabilitation project plans, specifications, and estimates.

NLC-7 Financial Analysis and Support (10%)

Description: This task includes economic analysis to demonstrate justification for specific projects, determine cost-benefit, identification and determination of the viability of alternative funding sources, assistance in grant application preparation, analysis of revenue sources, tax changes, tax initiatives, grant programs, loan programs, long term outcomes, demand projections, sensitivity analysis, public-private partnership participation, and other economic analysis.

Minimum Requirements: The team must employ one (1) individual, as task leader, with a minimum of 5 years of experience in the financial analysis of rail transportation projects, determination of benefit-costs for projects, grant application preparation, loan application preparation, identification and development of funding strategies, and public-private partnership initiatives.

NLC-8 Utility Adjustment Coordination (3%)

Description: This category involves holding utility coordination meetings with individual utility companies, coordination and communication with utilities, and utility agreement preparation.

Minimum Requirements: The team must include one (1) individual, as task leader, with 2 years demonstrated experience in utility coordination and agreement preparation as a Lead Worker.

NLC-9 Utility Engineering (2%)

Description: This category involves utility conflict identification as determined from utility engineering investigations, roadway design plans, and coordination with TxDOT engineers and utility companies. Also includes the evaluation of alternatives, in addition to review of utility plans for compatibility of proposed utility adjustments and installations with the highway design features, compliance with utility accommodation rules, and reasonableness of cost. May include public meetings for involvement of utility companies in the cooperative process and conflict resolution.

Minimum Requirements: The team must include one (1) professional engineer, as task leader, with at least 2 years of experience in utility engineering.

Precertification Requirements:

Standard Work Categories:

Task leaders, must be precertified by the SOQ deadline date and time specified in this Solicitation, for each of the advertised work categories they are identified to lead. Precertification status of subprovider task leaders, by individual, can be verified through the CCIS database using the *Employee Precertification Categories* query tool with a CCIS employee sequence number.

Non-Listed Work Categories:

Precertification is not applicable to non-listed categories (NLCs). Each proposed task leader of a NLC must show their qualifications to meet the minimum requirements on *Attachment 6: NLC Template* (if applicable). This attachment will only be used to determine if minimum requirements are met. The content of the attachment will not be evaluated.

Annual Firm Renewal Requirement:

Annual renewal is governed by Section 9.33(i) of Title 43 in the Texas Administrative Code (TAC). The following is a summary of that requirement.

All precertified firms must complete the annual renewal process between January 1 and March 31 each year to maintain Active status for the firm. Active status is required for prime providers and subproviders with task leaders identified for standard work categories. As applicable, firms must obtain Active status by the SOQ deadline date and time specified in this Solicitation. Active status is not required for firms proposing to perform only NLC services.

Additional information on annual renewal for precertified firms is available on TxDOT's internet web site at: [Annual Renewal for Precertified Firms](#)

A list of Active precertified firms is available at: [Active TxDOT Precertified Firms](#)

Administrative Qualification Requirements:

Administrative qualification is not required to compete for solicitations using this process.

When applicable, administrative qualification is a process used by the department to verify that a provider has an indirect cost rate that meets department requirements.

Administrative Qualification is governed by Section 9.34(b) of Title 43 in the Texas Administrative Code (TAC).

Requirements are summarized on TxDOT's website, which includes a list of firms and their administrative qualification status. The website is found at the following location: [Administrative Qualification](#)

The TAC exempts non-engineering firms and certain service types from administrative qualification. For such firms and service types, an indirect cost rate is not required.

For information purposes only, *Attachment 5 - Project Team Composition Form* (Part 3 of 3), indicates the work categories that are exempt from administrative qualification for this solicitation.

For firms not subject to exemption, if selected, an indirect cost rate is necessary for rate schedule development. These firms have two options:

- Be administratively qualified by selection notification, or
- Accept the TxDOT developed indirect cost rate of 145%.

Administrative qualification information is for TxDOT use only. This information will only be released with the approval of the provider or as required by state or federal statute.

Prime Provider Certification Statements:

See *Attachment 1: Cover Page* for certification information. The prime provider must certify that they meet the following requirements:

- The prime firm is registered or licensed with the Texas Board of Professional Engineers. If proposing as a joint venture, the requirement applies to each joint venture member.
- Individuals on the project team are currently employed by either the prime provider or a subprovider firm that has been identified on the team.
- A professional engineer registered or licensed in Texas will sign and seal the work to be performed on the contract.
- The prime provider shall perform at least 30 percent of the contracted work with its own work force.

Project Manager Requirement:

The prime provider's project manager, as proposed in the SOQ, is not required to be a registered Professional Engineer licensed in Texas by the SOQ deadline specified in this Solicitation.

Project Manager Commitment:

TxDOT expects the prime provider to commit its project manager, as proposed in the SOQ, to the duration of the contract. TxDOT further expects the project manager's commitment to the contract to include commitment as project manager to each work authorization without further delegation or substitution over the course of the contract. In selecting a provider, TxDOT evaluates the project manager's qualifications and skills against the specific requirements and unique demands of the contract. The project

manager's commitment to the duration of the contract, therefore, is of key importance to TxDOT. Project manager replacement, while not strictly prohibited, will require TxDOT's prior consent. Any such replacements will be subject to the terms of the agreement.

Joint Venture Requirements:

TxDOT allows joint ventures. Submittal of a joint venture proposal is at the discretion of the provider. A joint venture is considered the prime. In order for a joint venture to be precertified, each firm included in the joint venture must be precertified, unless a firm is performing only work identified by non-listed work categories. All joint venture parties must be clearly identified.

A single project manager must be identified on *Attachment 4: Organization Chart* to represent the joint venture.

All joint venture parties will be required to sign the contract and take equal 100% responsibility for the contract. Refer to **Prime Provider Certification Statements** section for additional requirements.

Employment Law:

A prime provider or subprovider currently employing former TxDOT employees must be aware of the revolving door employment laws and rules, including Government Code, Chapters §572.054 and §2252.901 and Texas Administrative Code, Rules §10.6, §10.101, and §10.102. The firm and former TxDOT employees are responsible for understanding and adhering to these rules and laws.

Disadvantaged Business Enterprise (DBE) Goal:

It is anticipated this contract will include federal funds. The assigned DBE goal for participation in the work to be performed under this contract is **11.7%** of the contract amount.

The provider shall furnish evidence of compliance with the assigned DBE goal, or evidence of a good faith effort acceptable to TxDOT to meet the assigned goal on *Attachment 5: Project Team Composition* (Part 1 of 3). TxDOT maintains the Texas Unified Certification Program Disadvantaged Business Enterprise (TUCP DBE) Directory, which lists businesses alphabetically and by work category.

The DBE goal can be achieved using the prime provider, the subproviders, or both.

Each subprovider listed to meet the assigned DBE subcontracting goal must be DBE-certified in the Subsector 541 NAICS Code applicable to the type of service being offered by that firm. A firm not DBE-certified in the Subsector 541 NAICS Code applicable to the type of service being offered will not be counted toward the assigned DBE subcontracting goal. For example:

- A firm offering architecture services must be DBE-certified in 541310 Architectural Services.
- A firm offering engineering services must be DBE-certified in 541330 Engineering Services.

- A firm offering surveying services must be DBE-certified in 541370 Surveying and Mapping (except Geophysical) Services.
- A firm offering environmental services must be DBE-certified in either 541330 Engineering Services or 541620 Environmental Consulting Services.
- A firm offering materials testing services must be DBE-certified in either 541330 Engineering Services or 541380 Testing Laboratories.

Additional information on the NAICS Codes can be found at the following link, under the heading for Sector 541 – Professional Scientific and Technical Services:

<http://www.sba.gov/content/small-business-size-standards>

Statement of Qualifications (SOQ) Submittal Format:

The prime provider must submit **six (6)** duplicate original SOQs. Each SOQ must be submitted with a single staple in the upper left-hand corner. No other binding will be accepted.

The SOQ submittal must consist of and is limited to the following attachments in numerical order:

Attachment 1: SOQ Cover Page – See the fillable file attached to this Solicitation.

Attachment 2: Questions & Responses (Q&R) Template – See the fillable file attached to this Solicitation.

Attachment 3: Graphics Page - A graphics page may be submitted to support the responses in the *Attachment 2 - Q&R Template*. The graphics page may include drawings, diagrams, charts, tables, or other visual aids. This attachment is limited to one (1) 8 ½" x 11", or one (1) 11" x 17" page, single-sided. For scanning and legibility, a minimum font size of 10 point must be used, and Arial font is preferred.

(Label "*Graphics Page*". If a graphics page will not be included, insert a single page titled "*Graphics Page - Intentionally Left Blank*".)

Attachment 4: Organization Chart - The task leaders shown on the org chart must be consistent with those identified on *Attachment 5: Project Team Composition Form* (Parts 1, 2, and 3). Other personnel may be identified at the prime provider's discretion. This attachment is limited to one (1) 8 ½" x 11", or one (1) 11" x 17" page, single-sided. For scanning and legibility, a minimum font size of 10 point must be used, and Arial font is preferred. The organization (org) chart must contain the following:

- Project manager's and task leaders' name, and contract responsibilities by work category.
- The prime provider's and subproviders' name, address, email, and telephone number, by each firm. The prime provider's and subproviders' name, address, email, and telephone number, by each firm. The abbreviation of firm names is acceptable.

(Label "*Organization Chart*".)

Attachment 5: Project Team Composition Form (Parts 1, 2 and 3) – See the fillable file attached to this Solicitation. Prime provider and subprovider names listed in the Project Team Composition (PTC) form should be the legal firm names

as registered with the Texas Comptroller of Public Accounts. For precertified firms, the firm name in the TxDOT CCIS database should also be the legal firm names as registered with the Texas Comptroller of Public Accounts. (When complete, three parts will be available to print. Instructions for completing and printing Parts 1, 2, and 3 are included on Part 1, under the button labeled "Instructions".)

Attachment 6: Non-Listed Categories (NLC) Template - See the fillable file attached to this Solicitation. Complete for each NLC shown under the section for **Work Categories and the % of Work Per Category**. Detail how the proposed task leader for the NLC meets the minimum qualifications to perform the work.

Attachment 7: Non-TxDOT Client Verification Form - This form must list the contract numbers for any non-TxDOT work referenced in the *Attachment 2: Q&R Template*.

Project Manager or Task Leader Replacement during Selection:

Prior to short list notification, the prime provider's project manager may be replaced only by another prime provider staff person proposed in the SOQ, as approved in writing by the consultant selection team (CST).

Prior to short list notification, a task leader may be replaced by another precertified person proposed in the SOQ from the team, as approved in writing by the CST.

Selection Procedure:

Providers will be short-listed based on their SOQ scores.

A short list meeting with providers advancing to the short list will not be held.

Providers advancing to the short list will participate in an interview. These providers will be issued an *Interview and Contract Guide (ICG)* containing instructions for the interview. The prime provider's project manager must be present for and participate in the interview or the provider will be removed from further consideration. The project manager may attend only one interview.

Attendance is limited to the following individuals: The task leaders of the major work categories NLC-1 Route and Design Studies; NLC-2 Environmental Studies and Public Involvement; NLC-4 Rail Construction Management; NLC-5 Rail Infrastructure Analysis; NLC-6 Rail Infrastructure Project Development; NLC-7 Financial Analysis and Support; listed in this Solicitation must attend the interview with the project manager. Each attendee must be identified in *Attachment 4: Organization Chart*.

Interviews will be evaluated, and the interview score will be the basis for the selection. Interviews will be scheduled the November 10, 2014.

Contract Information:

Contract execution is expected by December 2014.

The proposed contract payment type is cost plus fixed fee / specified rate / lump sum / unit cost.

Work authorizations (WA) may be issued within the first three years of the contract. Contract duration is expected through the latest WA termination date.

Work authorizations under the contract(s) will be issued in conformance with TxDOT's current policies and procedures.

Debriefs:

Debriefs may be conducted to discuss the provider's SOQ or interview. Note that no debriefs will be held prior to provider selection. Debriefs for shortlisted providers will be held after contract execution. Requests for debriefs will be accommodated up to four months after contract execution.

Special Accommodations:

To request special accommodations pursuant to the Americans with Disabilities Act (ADA), please notify the contact shown below, a minimum of 48 hours prior to a scheduled meeting.

DonAnne Williford at DonAnne.Williford@txdot.gov, using the standard subject line:

Special Accommodations, Solicitation # 86-5RFP5039

Questions about this Solicitation:

Questions regarding this Solicitation must be submitted in writing (via email) to Larry Wenger at Larry.Wenger@txdot.gov to be considered. Submit questions using the standard subject line: Questions & Answers, Solicitation # 83-5RFP5039.

The deadline for submitting questions regarding this Solicitation is **4:00 p.m. CT, on Monday, September 29, 2014.**

Significant and relevant *Solicitation Questions and Answers* will be posted on TxDOT's website by **Monday, October 6, 2014**. They will be posted under this Solicitation Number, at the following location under the button label "*Solicitation Questions and Answers*": [Contract Solicitation Documents and Information](#)